

1 MICHELLE D. SPENCER, CBN 164696
2 LAW OFFICE OF MICHELLE D. SPENCER
3 55 River Street, Suite 100
4 Santa Cruz, CA 95060
5 Tel: 831 458 0502
6 Fax: 831 515 5053

7 Attorney for Javier Martinez Montecinos Rosales

8 IN THE UNITED STATES DISTRICT COURT
9
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 JAVIER MARTINEZ MONTECINOS
17 ROSALES and VICTOR CERNAS,

18 Defendants.
19
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CASE NO: CR13-00224-EJD

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22 STIPULATION AND ~~PROPOSED~~ ORDER
23 CONTINUING STATUS CONFERENCE TO
24 JULY 1, 2013 AND EXCLUDING TIME
25 UNDER THE SPEEDY TRIAL ACT
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21 The parties, by and through their respective counsel, hereby stipulate, subject to the
22 Court's approval, that the status conference currently scheduled for June 3, 2013 be continued
23 to July 1, 2013 for further status.

24 The parties further stipulate that time should be excluded under the Speedy Trial Act
25 from June 3, 2013 through and including July 1, 2013 for effective preparation of defense
26 counsel. Additional discovery is expected to be distributed to the defense soon. Counsel will
27 need time to review it and conduct any necessary investigation.
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2 IT IS SO STIPULATED.
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4 Dated: May 28, 2013

MELINDA HAAG
United States Attorney

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6 /S/

GARY FRY
Assistant United States Attorney

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8 Dated: May 28, 2013

/S/

9 THOMAS J. FERRITO
10 Counsel for Victor Cernas

11 Dated: May 28, 2013

/S/

12 MICHELLE D. SPENCER
13 Counsel for Javier Martinez Montecinos Rosales

14
15 ~~PROPOSED~~ ORDER

16 GOOD CAUSE APPEARING, and upon the stipulation of the parties,

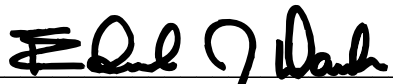
17 IT IS HEREBY ORDERED that the status conference currently scheduled for both
18 defendants on June 3, 2013 shall be continued to July 1, 2013 at 1:30 p.m. for further status.
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20 FURTHER, the Court finds that failing to exclude the time between June 3, 2013
21 through and including July 1, 2013, would unreasonably deny defense counsel time for
22 effective preparation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv). The ends of justice served by
23 excluding the time between June 3, 2013 and July 1, 2013, from computation under the
24 Speedy Trial Act outweigh the interests of the public and the defendant in a speedy trial.
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1 IT IS FURTHER ORDERED that the time between June 3, 2013 through and
2 including July 1, 2013, shall be excluded from computation under the Speedy Trial Act, 18
3 U.S.C. § 3161(h)(7)(A), and (B)(iv), and 18 U.S.C. § 3161(h)(1)(D).
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5 IT IS SO ORDERED.
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7 Dated: 5/29/2013


8 THE HONORABLE EDWARD J. DAVILA
United States District Judge
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